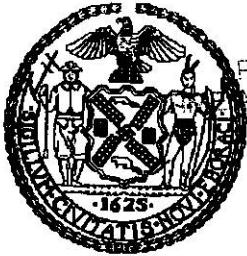


IN CLERK'S OFFICE  
U.S. DISTRICT COURT  
★ OCT 06 2005 ★



P.M.  
A.M.

DISTRICT ATTORNEY  
QUEENS COUNTY  
125-01 QUEENS BOULEVARD  
KEW GARDENS, NEW YORK 11415-1568  
(718) 286-6000

COURT MAIL

DGF  
CLM

RICHARD A. BROWN  
DISTRICT ATTORNEY

The Honorable Frederic Block  
United States District Judge  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

By Fax & Hand Delivery

Dear Judge Block:

I am writing to request an extension of time of approximately sixty days to file the respondent's return in the above-referenced *habeas corpus* proceeding. This Court's Order to Show Cause directed the respondent in this case to answer by October 3, 2005.

Unfortunately, because of the press of other work, I will be unable to meet that deadline. Consequently, I am requesting an extension of time of two months, until December 3, 2005, in which to file the respondent's return. I apologize for any inconvenience, and thank you for your consideration.

Respectfully,

Michael Tarbutton  
Assistant District Attorney  
(718) 286-5956

cc: Hasoun Butler  
03 A 0492  
99 Prison Road  
P.O. box 1000  
Woodbourne Correctional Facility  
Woodbourne, New York 12788

October 3, 2005

THE REQUEST TO OPPOSE  
THIS PETITION BY 12/5/05 IS  
GRANTED. ~~NO ORDER~~

Re: *Butler v. Cunningham*  
CV 05 3334 (FB)  
Queens Co. Ind. No. 10220/02

6/10/05 10/5/05